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16 Attorneys for Plaintiffs

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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 OAKLAND DIVISION

21 In re BIGBAND NETWORKS, INC. )  
22 SECURITIES LITIGATION ) Master File No. 07-cv-5101 SBA  
23 )  
24 ) STIPULATION AND ORDER RE:  
25 ) BRIEFING SCHEDULE  
26 )

27 \_\_\_\_\_ )  
28 This Document Relates To: All Actions )  
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1 WHEREAS, this Lead Plaintiff, Gwyn Jones, filed his Consolidated Class Action Complaint  
2 for Violations of Securities Laws on May 30, 2008 [Dkt. No. 82];

3 WHEREAS, Defendants filed motions to dismiss on August 8, 2008 [Dkt Nos. 91, 92];

4 WHEREAS, the motions to dismiss are currently set for hearing before this Court on  
5 December 9, 2008 at 1:00 p.m.;

6 WHEREAS, the parties filed a Joint Case Management Statement on September 19, 2008,  
7 [Dkt No. 99];

8 WHEREAS, the parties met and conferred and agree to request that the hearing on  
9 Defendants' motions to dismiss be rescheduled for January 20, 2009 at 1:00 p.m.;

10 WHEREAS the parties also met and conferred and agree to alter the briefing schedule so that  
11 Lead Plaintiff's oppositions to Defendants' motions to dismiss will be due on November 7, 2008 and  
12 Defendants' replies in support of their motions to dismiss will be due on December 19, 2008;

13 IT IS HEREBY STIPULATED AND AGREED, by Defendants BigBand Networks, Inc.,  
14 Amir Bassan-Eskenazi, Ran Oz, Frederick Ball, Gal Israely, Dean Gilbert, Ken Goldman, Lloyd  
15 Carney, Bruce Sachs, Robert Sachs, Geoffrey Yang, Morgan Stanley & Co. Incorporated, Merrill  
16 Lynch, Pierce, Fenner & Smith Incorporated, Jefferies & Company, Inc., Cowen and Company,  
17 LLC, and ThinkPanmure, LLC, formerly known as ThinkEquity Partners LLC and Lead Plaintiff  
18 Gwyn Jones, that Lead Plaintiff's oppositions to Defendants' motions to dismiss are due on  
19 November 7, 2008. Defendants' replies in support of their motions to dismiss are due December 19,  
20 2008. The parties further stipulate and agree to request that the Court reschedule the December 9,  
21 2008 hearing on Defendants' motions to dismiss to January 20, 2009 at 1:00 p.m.

22 Dated: September 22, 2008

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Co-Lead Counsel for Lead Plaintiff Gwyn Jones

Dated: September 22, 2008

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Yang*

Dated: September 22, 2008

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Company, LLC and ThinkPanmure, LLC, formerly  
known as ThinkEquity Partners LLC*

I, Peter E. Borkon, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE. In compliance with General Order 45, X.B., I hereby attest that Reed R. Kathrein, Joni Ostler and Michael C. Tu have concurred in this filing.

**ORDER**

Pursuant to Stipulation, it is hereby ordered that the Lead Plaintiff shall file his oppositions to Defendants' motions to dismiss on November 7, 2008. Defendants shall file their replies in support of their motions to dismiss on December 19, 2008. The hearing on Defendants' motions to dismiss is rescheduled for January 20, 2009 at 1:00 p.m. with a Case Management Conference to follow.

DATED: 9/24/08

  
\_\_\_\_\_  
THE HONORABLE SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on September 22, 2008 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Peter E. Borkon  
PETER E. BORKON

**A. Mailing Information for a Case 4:07-cv-05101-SBA**

**1. Electronic Mail Notice List**

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**2. Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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